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**STATE OF IOWA**  
**BOARD OF EDUCATIONAL EXAMINERS**  
**Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
**Des Moines, Iowa 50319-0147**

**Minutes**

**May 6, 2004**

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1 allow the proposed decision to become the final decision of the Board unless an  
2 appeal is taken by one of the parties within the time allowed by rule. Roll call  
3 vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen  
4 – recuse; Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway – yes.

5 **MOTION CARRIED.**

6  
7 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in case  
8 number 03-32, the Board not initiate review of the proposed decision and  
9 allow the proposed decision to become the final decision of the Board unless an  
10 appeal is taken by one of the parties within the time allowed by rule. Roll call  
11 vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen  
12 – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway – yes.

13 **MOTION CARRIED UNANIMOUSLY.**

14  
15 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in case  
16 number 03-21, the Board find that the evidence gathered in the investigation,  
17 including witness statements and the documentary evidence, does not  
18 corroborate the allegations in the complaint, and that the Board therefore lacks  
19 probable cause to proceed with this matter. Roll call vote: Aboud – yes; Carter  
20 – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen – yes; Seeland – yes;  
21 Wellborn – yes; Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED**

22 **UNANIMOUSLY.**

23  
24 Anita Westerhaus moved, with a second by Jacqueline Wellborn, that in case  
25 number 04-02, the Board find that the evidence gathered in the investigation,  
26 including witness statements and the documentary evidence, does not  
27 corroborate the allegations in the complaint, and that the Board therefore lacks  
28 probable cause to proceed with this matter. Roll call vote: Aboud – yes; Carter  
29 – no; Chen – yes; Haigh – no; Jeffrey – yes; Paulsen – yes; Seeland – yes;  
30 Wellborn – yes; Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED.**

31  
32 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in case  
33 number 03-32, the Board extend the 180-day deadline for issuance of the final

1 decision, due to the need for additional time to allow the Board to issue a final  
2 decision. Roll call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes;  
3 Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;  
4 and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

5  
6 Anita Westerhaus moved, with a second by Jacqueline Wellborn, that in **case**  
7 **number 04-06**, the Board uphold the Executive Director’s decision to reject the  
8 complaint prior to investigation based upon a failure to meet the jurisdictional  
9 requirements of Board rule 11.3. After careful examination of the complaints  
10 and the supporting material submitted by the Complainant, the Board finds  
11 that there appears to be insufficient evidence to support the complaints and  
12 the magnitude of the alleged violations do not warrant a hearing by the Board.  
13 Roll call vote: Aboud – yes; Carter – recuse; Chen – yes; Haigh – yes; Jeffrey –  
14 yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; and  
15 Hathaway – yes. **MOTION CARRIED.**

16  
17 Judy Jeffrey moved, with a second by Jean Seeland, to approve the April 2,  
18 2004, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

19  
20 John Aboud moved, with a second by Thomas Paulsen, to adopt and file the  
21 proposed changes to the K-6 and 7-12 reading endorsements in Chapter 14  
22 that increase the required number of semester hours from 20 to 24 and add  
23 greater clarity to the requirements to communicate better what reading  
24 teachers must know and be able to do. Roll call vote: Westerhaus – yes;  
25 Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen –  
26 yes; Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED**  
27 **UNANIMOUSLY.**

28  
29 John Aboud moved, with a second by Ying Ying Chen, to adopt and file the  
30 proposed changes to the driver education endorsement in Chapter 14 that  
31 reduce the number of required semester hours to nine and add course work in  
32 drug and alcohol abuse. Roll call vote: Westerhaus – yes; Wellborn – yes;

1 Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter –  
2 yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

3  
4 John Aboud moved, with a second by Jean Seeland, to adopt and file the  
5 proposed changes to Chapter 16 that replace references to “occupational” and  
6 “vocational” in the endorsements and licenses with “career and technical” and  
7 strike “postsecondary” altogether from the rules. Roll call vote: Westerhaus –  
8 yes; Aboud – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter –  
9 yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

10  
11 John Aboud moved, with a second by Jean Seeland, to adopt and file the  
12 proposed changes to Chapter 16 that replace references to “occupational” and  
13 “vocational” in the endorsements and licenses with “career and technical” and  
14 strike “postsecondary” altogether from the rules. Roll call vote: Westerhaus –  
15 yes; Aboud – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter –  
16 yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Brian Carter moved, with a second by Thomas Paulsen, that **in PFW 04-03**,  
19 Greg Davis, the Board accept the one year of substitute teaching for one year of  
20 the requisite teaching experience. Roll call vote: Westerhaus – yes; Wellborn –  
21 yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter  
22 – yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

23  
24 Brian Carter moved, with a second by William Haigh that **in PFW 04-03**, Greg  
25 Davis, the Board deny the Petition for Waiver and direct staff to work with Mr.  
26 Davis on other options with respect to the other two years of required teaching  
27 experience. Roll call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes;  
28 Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;  
29 and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

30  
31 Jean Seeland moved, with a second by Anita Westerhaus, that **in PFW 04-05**,  
32 Larry Haller, the Board grant in part the Petition for Wavier, i.e., grant the  
33 waiver from the human relations course, and deny in part the Petition for

1 Waiver, but direct staff to work with Mr. Haller to determine if his prior course  
2 work includes sufficient study in the area of exceptional learner to be accepted  
3 as meeting the statutory requirement. Roll call vote: Aboud – yes; Carter – yes;  
4 Chen – yes; Haigh – no; Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn –  
5 yes; Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED.**

6  
7 Judy Jeffrey moved, with a second by Ying Ying Chen, that **in PFW 04-06**,  
8 Tiffany Manker, the Board grant in part the Petition for Waiver, i.e., waive the  
9 student teaching requirement, and deny in part the Petition for Waiver, due to  
10 failure to meet the requirements for waiver of the course in career-vocational  
11 programming for special education students. Roll call vote: Westerhaus – yes;  
12 Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen –  
13 yes; Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED**  
14 **UNANIMOUSLY.**

15  
16 John Aboud moved, with a second by Brian Carter, that **in PFW 04-07**, Daniel  
17 Peterson, the Board grant the Petition for Waiver. Roll call vote: Westerhaus –  
18 yes; Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes;  
19 Chen – yes; Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION**  
20 **CARRIED UNANIMOUSLY.**

21  
22 John Aboud moved, with a second by Jean Seeland, that **in PFW 04-08**, the  
23 Board grant the Petition for Waiver. Roll call vote: Westerhaus – yes; Wellborn  
24 – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes;  
25 Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED**  
26 **UNANIMOUSLY.**

27  
28 Anita Westerhaus moved, with a second by Jacqueline Wellborn that **in case**  
29 **number APP 04-02**, Howard Barber, Board not initiate review of the proposed  
30 decision and allow the proposed decision to become the final decision of the  
31 Board unless an appeal is taken by one of the parties within the time allowed  
32 by rule. Roll call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes;

1 Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;  
2 and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Jean Seeland moved, with a second by Jacqueline Wellborn, that the Board  
5 recommend that no standardized testing for content or pedagogy be imposed as  
6 a condition of licensure. Roll call vote: Aboud – yes; Carter – yes; Chen – yes;  
7 Haigh – yes; Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes;  
8 Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

9  
10 Brian Carter moved, with a second by John Aboud, that the Board go into  
11 closed session for the purpose of a personnel discussion, pursuant to Iowa  
12 Code section 21.5(1)(i). **MOTION CARRIED UNANIMOUSLY.**

13  
14 John Aboud moved, with a second by Thomas Paulsen, that the Board accept  
15 the resignation of Dr. Anne Kruse as Executive Director of the Board of  
16 Educational Examiners, effective September 9, 2004. Roll call vote:  
17 Westerhaus – yes; Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes;  
18 Haigh – yes; Chen – yes; Carter – yes; Aboud – yes; and Hathaway – yes.  
19 **MOTION CARRIED UNANIMOUSLY.**

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                                   **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
4                                   **Des Moines, Iowa 50319-0147**

5  
6                                   **Minutes**  
7                                   **May 6, 2004**  
8

9     The Board of Educational Examiners held its monthly meeting on May 6, 2004.  
10    Board Chair Peter Hathaway called the meeting to order at 8:30 a.m. Members  
11    attending were John Aboud, Brian Carter, Ying Ying Chen, William Haigh, Peter  
12    Hathaway, Judy Jeffrey, Thomas Paulsen, Jean Seeland, Jacqueline Wellborn  
13    and Anita Westerhaus. Also in attendance were Dr. Anne Kruse, Executive  
14    Director of the Board; Christie Scase, Assistant Attorney General and legal  
15    counsel to the Board; Barbara Hendrickson, Board Secretary; and other  
16    visitors. Assistant Attorney General and legal counsel to the Board Jeanie  
17    Vaudt was unable to attend the meeting.

18  
19    Anita Westerhaus moved, with a second by William Haigh, that the Board go  
20    into closed session for the purposes of discussing whether to initiate licensee  
21    disciplinary proceedings and discussing the decision to be rendered in a  
22    contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).

23    **MOTION CARRIED UNANIMOUSLY.**  
24

25    The Board reconvened into open session at 9:26 a.m.  
26

27    Anita Westerhaus moved, with a second by Jacqueline Wellborn, that in **case**  
28    **number 03-17**, Gubbels v. Coppock, the Board not initiate review of the  
29    proposed decision and allow the proposed decision to become the final decision  
30    of the Board unless an appeal is taken by one of the parties within the time  
31    allowed by rule. Roll call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh –  
32    yes; Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus –  
33    yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**



1 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in **case**  
2 **number 03-18**, Dr. Anne Kruse v. Kenneth Dayton Burke, the Board not  
3 initiate review of the proposed decision and allow the proposed decision to  
4 become the final decision of the Board unless an appeal is taken by one of the  
5 parties within the time allowed by rule. Roll call vote: Aboud – yes; Carter –  
6 yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen – yes; Seeland – yes;  
7 Wellborn – yes; Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED**  
8 **UNANIMOUSLY.**

9  
10 Anita Westerhaus moved, with a second by Jacqueline Wellborn, that in **case**  
11 **number 03-19**, the Board not initiate review of the proposed decision and  
12 allow the proposed decision to become the final decision of the Board unless an  
13 appeal is taken by one of the parties within the time allowed by rule. Roll call  
14 vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen  
15 – recuse; Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway – yes.  
16 **MOTION CARRIED.**

17  
18 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in **case**  
19 **number 03-32**, the Board not initiate review of the proposed decision and  
20 allow the proposed decision to become the final decision of the Board unless an  
21 appeal is taken by one of the parties within the time allowed by rule. Roll call  
22 vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen  
23 – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway – yes.  
24 **MOTION CARRIED UNANIMOUSLY.**

25  
26 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in **case**  
27 **number 03-21**, the Board find that the evidence gathered in the investigation,  
28 including witness statements and the documentary evidence, does not  
29 corroborate the allegations in the complaint, and that the Board therefore lacks  
30 probable cause to proceed with this matter. Roll call vote: Aboud – yes; Carter  
31 – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen – yes; Seeland – yes;  
32 Wellborn – yes; Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED**  
33 **UNANIMOUSLY.**

1 Anita Westerhaus moved, with a second by Jacqueline Wellborn, that in **case**  
2 **number 04-02**, the Board find that the evidence gathered in the investigation,  
3 including witness statements and the documentary evidence, does not  
4 corroborate the allegations in the complaint, and that the Board therefore lacks  
5 probable cause to proceed with this matter. Roll call vote: Aboud – yes; Carter  
6 – no; Chen – yes; Haigh – no; Jeffrey – yes; Paulsen – yes; Seeland – yes;  
7 Wellborn – yes; Westerhaus – yes; and Hathaway – yes. **MOTION CARRIED.**

9 Jacqueline Wellborn moved, with a second by Anita Westerhaus, that in **case**  
10 **number 03-32**, the Board extend the 180-day deadline for issuance of the final  
11 decision, due to the need for additional time to allow the Board to issue a final  
12 decision. Roll call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes;  
13 Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;  
14 and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

16 Anita Westerhaus moved, with a second by Jacqueline Wellborn, that in **case**  
17 **number 04-06**, the Board uphold the Executive Director's decision to reject the  
18 complaint prior to investigation based upon a failure to meet the jurisdictional  
19 requirements of Board rule 11.3. After careful examination of the complaints  
20 and the supporting material submitted by the Complainant, the Board finds  
21 that there appears to be insufficient evidence to support the complaints and  
22 the magnitude of the alleged violations do not warrant a hearing by the Board.  
23 Roll call vote: Aboud – yes; Carter – recuse; Chen – yes; Haigh – yes; Jeffrey –  
24 yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; and  
25 Hathaway – yes. **MOTION CARRIED.**

27 Judy Jeffrey moved, with a second by Jean Seeland, to approve the April 2,  
28 2004, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

30 Board Member Thomas Paulsen congratulated the staff on a wonderful job  
31 working with his student teacher to get him a temporary substitute license.  
32 This enabled him to assist the Coon Rapids district as a long-term sub, due to  
33 serious injury to the agriculture teacher there.

1 Board Chair Peter Hathaway asked if there were any public comments. There  
2 were none.

3  
4 Executive Director Dr. Anne Kruse reported briefly on a number of issues:

- 5 1) Licensure Consultant Dr. Gary Borlaug and she have been working with the  
6 grant people to meet on the prototypes. They have seen one prototype that  
7 is well on its way and that looks very good.
- 8 2) The Governor's office called to say that a list of candidates is being  
9 reviewed, from which a replacement for former board member Dr. Veronica  
10 Stalker will be selected. The appointee should be on board by June.
- 11 3) The Board's 15<sup>th</sup> anniversary celebration is scheduled for next month, and  
12 some responses have been received. Board Member Jacqueline Wellborn  
13 will assist with a show of photographs being collected. Detailed information  
14 on directions and such will be sent with the next board packet.
- 15 4) Staff workload has been good with respect to applications, although a slight  
16 surge is yet expected. Renewals have been caught up, and there has been  
17 an increase in out-of-state applications, particularly from the Cedar Rapids  
18 area, probably due to current spouse business transfers.
- 19 5) Dr. Kruse directed the Board to the text of the bill on Board licensing fees  
20 now before the Governor. If approved, the bill permits retention of 85% of  
21 the prior increase in fees and 70% of the proposed increase. Although less  
22 than the 85% hoped for, the current increase will nevertheless fund the two  
23 desired full-time permanent staff positions.
- 24 6) Made aware of some board member schedule conflicts and not yet aware of  
25 the yet-to-be-named appointee's schedule, Dr. Kruse suggested revisiting  
26 the proposed board meeting dates for the first half of calendar year 2005 at  
27 the June meeting.

28  
29 Assistant Attorney General and legal counsel to the Board Christie Scase  
30 updated the Board on judicial proceedings in contested cases 98-12, 01-35,  
31 02-25 and 02-29, which respondent attorneys had subsequently taken to  
32 district court.

1 The Board considered three sets of rules for adoption with little or no further  
2 discussion. John Aboud moved, with a second by Thomas Paulsen, to adopt  
3 and file the proposed changes to the K-6 and 7-12 reading endorsements in  
4 Chapter 14 that increase the required number of semester hours from 20 to 24  
5 and add greater clarity to the requirements to communicate better what  
6 reading teachers must know and be able to do. Roll call vote: Westerhaus –  
7 yes; Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes;  
8 Chen – yes; Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION**  
9 **CARRIED UNANIMOUSLY.**

10  
11 John Aboud moved, with a second by Ying Ying Chen, to adopt and file the  
12 proposed changes to the driver education endorsement in Chapter 14 that  
13 reduce the number of required semester hours to nine and add course work in  
14 drug and alcohol abuse. Roll call vote: Westerhaus – yes; Wellborn – yes;  
15 Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter –  
16 yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

17  
18 John Aboud moved, with a second by Jean Seeland, to adopt and file the  
19 proposed changes to Chapter 16 that replace references to “occupational” and  
20 “vocational” in the endorsements and licenses with “career and technical” and  
21 strike “postsecondary” altogether from the rules. Roll call vote: Westerhaus –  
22 yes; Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes;  
23 Chen – yes; Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION**  
24 **CARRIED UNANIMOUSLY.**

25  
26 At the April meeting, the Board reviewed a petition from Greg Davis, requesting  
27 waiver from the Board rule requiring three years of teaching experience prior to  
28 issuance of an endorsement to serve as a principal or superintendent. Action  
29 was tabled, pending receipt of additional information, and then taken up at the  
30 May meeting. Mr. Davis held a teaching certificate with approvals in secondary  
31 math, general science, physics, and physical science, which expired in 1991.  
32 Although he indicated that he had over 10 years of teaching experiences in a  
33 variety of forums, his K-12 experience was limited to several varied long-term

1 substitute teaching jobs at the secondary level in his first year out of college.  
2 Brian Carter moved, with a second by Thomas Paulsen, that **in PFW 04-03**,  
3 Greg Davis, the Board accept the one year of substitute teaching for one year of  
4 the requisite teaching experience. Roll call vote: Westerhaus – yes; Wellborn –  
5 yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter  
6 – yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

7  
8 Mr. Davis is currently employed by the Des Moines Public Schools as a central  
9 office administrator on a 12-month contract that does not allow him to teach.  
10 If he renews his currently expired license and can make arrangements with his  
11 employer to teach for one hour per day for two years, he will have sufficient  
12 teaching experience to meet the requirements of the Board rules. Brian Carter  
13 moved, with a second by William Haigh that **in PFW 04-03**, Greg Davis, the  
14 Board deny the Petition for Waiver and direct staff to work with Mr. Davis on  
15 other options with respect to the other two years of required teaching  
16 experience. Roll call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – yes;  
17 Jeffrey – yes; Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes;  
18 and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

19  
20 Larry Haller wanted to waive the requirements for completion of an approved  
21 human relations course and approved exceptional learner course (classes  
22 which his preparation program did not include), prior to issuance of an Iowa  
23 teaching license. Mr. Haller holds an exchange license with the endorsement  
24 for secondary mathematics. He served as a secondary mathematics teacher for  
25 over 40 years in Nebraska and Wyoming. In light of his extensive teaching  
26 experience and completion of the Nebraska human relations course, the Board  
27 agreed to waive that requirement. The Board may not waive rules mandated by  
28 statute, however, which governs the exceptional learner requirement. The  
29 Board directed staff to develop an exceptional learner equivalency form for use  
30 in determining whether course work and/or renewal classes, which out-of-state  
31 applicants have completed, include sufficient study to be accepted as meeting  
32 the requirement. Jean Seeland moved, with a second by Anita Westerhaus,  
33 that **in PFW 04-05**, Larry Haller, the Board grant in part the Petition for

1   Wavier, i.e., grant the waiver from the human relations course, and deny in  
2   part the Petition for Waiver, but direct staff to work with Mr. Haller to  
3   determine if his prior course work includes sufficient study in the area of  
4   exceptional learner to be accepted as meeting the statutory requirement. Roll  
5   call vote: Aboud – yes; Carter – yes; Chen – yes; Haigh – no; Jeffrey – yes;  
6   Paulsen – yes; Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway  
7   – yes. **MOTION CARRIED.**

8  
9   Tiffany Manker petitioned to waive the requirements for completion of student  
10   teaching in a 7-12 learning disabilities categorical program and completion of a  
11   course in career-vocational programming for special education students in  
12   order to receive a 7-12 learning disabilities endorsement. She holds a standard  
13   license with endorsements for general elementary, elementary learning  
14   disabilities and elementary mildly disabled. She desires to obtain a secondary  
15   (7-12) learning disabilities endorsement, but has not completed the  
16   prerequisite career-vocational programming class or the secondary student  
17   teaching practicum in 7-12 learning disabilities. Ms. Manker completed a K-12  
18   learning disabilities program at the University of Minnesota and received a K-  
19   12 learning disabilities license in the State of Minnesota. She has been a  
20   secondary teacher in a learning disabilities program for five years and is  
21   currently employed teaching on a full-time basis in a secondary level learning  
22   disabilities program. The Board agreed that, given Ms. Manker's experience, it  
23   did not appear that she would derive any substantive benefit from student  
24   teaching at this point in her career. She must, however, either obtain  
25   verification from the University of Minnesota that the course work she  
26   completed included equivalent programming for the career-vocational course,  
27   or she can find a way to complete this one course. Judy Jeffrey moved, with a  
28   second by Ying Ying Chen, that **in PFW 04-06**, Tiffany Manker, the Board grant  
29   in part the Petition for Waiver, i.e., waive the student teaching requirement,  
30   and deny in part the Petition for Waiver, due to failure to meet the  
31   requirements for waiver of the course in career-vocational programming for  
32   special education students. Roll call vote: Westerhaus – yes; Wellborn – yes;

1 Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes; Carter –  
2 yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Daniel Peterson asked the Board to waive the rule requiring three years of  
5 administrative experience prior to issuance of an endorsement as a  
6 superintendent. Mr. Peterson holds an administrative license with the  
7 endorsement for secondary principal, which was issued on February 4, 2002.  
8 He was employed as an assistant principal in the Southeast Webster Schools  
9 during the 2001-2002 school year. Although he completed his master's degree  
10 program in October of 2001, he did not apply for his principal's endorsement  
11 until February of 2002. Therefore, he was not properly endorsed for the  
12 assistant principal position during a portion of the 2001-2002 school year. Mr.  
13 Peterson served as a principal with the Wapsie Valley Community School  
14 District during the 2002-2003 and 2003-2004 school years. He desired to  
15 receive his superintendent's endorsement prior to the beginning of the 2004-  
16 2005 school year so that he could accept a contract for the superintendent's  
17 position at his current district. Although the Board generally does not credit  
18 applicants for experience gained while serving in a position for which the  
19 applicant was not properly licensed, the Board found that this application of  
20 the rules would impose an undue hardship upon Mr. Peterson under the  
21 circumstances presented here. Mr. Peterson misunderstood the licensing  
22 requirements prior to accepting employment as an assistant principal for the  
23 2001-2002 school year and apparently did not realize that he would have been  
24 eligible for a conditional license to serve in that position had he made  
25 application with the Board. He was not, however, solely at fault. The  
26 employing school district should have ensured that he was properly endorsed  
27 before hiring him to serve in that capacity. The Board believed that Mr.  
28 Peterson should not now be penalized for the district's error. John Aboud  
29 moved, with a second by Brian Carter, that **in PFW 04-07**, Daniel Peterson, the  
30 Board grant the Petition for Waiver. Roll call vote: Westerhaus – yes; Wellborn  
31 – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes; Haigh – yes; Chen – yes;  
32 Carter – yes; Aboud – yes; and Hathaway – yes. **MOTION CARRIED**  
33 **UNANIMOUSLY.**

1 Jessica Loving filed a petition to waive the requirement for completion of four  
2 years of successful teaching experience prior to issuance of a special education  
3 consultant endorsement. Ms. Loving currently holds a standard license with  
4 an endorsement for general elementary classroom. She also holds a Class C  
5 conditional license for elementary multicategorical special education class with  
6 integration. She has an opportunity to apply for a special education consultant  
7 position close to her home. Ms. Loving completed three years of full-time  
8 teaching a multicategorical special class with integration and one year of  
9 substitute teaching in a multicategorical special class with integration. Her  
10 substitute teaching experience included 132 days in the same classroom  
11 during the long-term absence of the regular teacher. She submitted  
12 verification that her year of substitute teaching was essentially the equivalent  
13 of a full-time teaching position, in that she taught 132 days in the same  
14 classroom. The Board believed that no significant benefit would appear to be  
15 gained by a strict application of the experience requirement under this  
16 circumstance. John Aboud moved, with a second by Jean Seeland, that in **in**  
17 **PFW 04-08**, the Board grant the Petition for Waiver. Roll call vote:  
18 Westerhaus – yes; Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes;  
19 Haigh – yes; Chen – yes; Carter – yes; Aboud – yes; and Hathaway – yes.  
20 **MOTION CARRIED UNANIMOUSLY.**

21  
22 The Board recessed from 10:12 a.m. to 10:22 a.m.  
23

24 The Board next reviewed a licensure appeal case. Board Chair Peter Hathaway  
25 indicted that neither Executive Director Dr. Anne Kruse [who had denied the  
26 applicant a coaching authorization] nor Assistant Attorney General and legal  
27 counsel to the Board Christie Scase [who had prosecuted the case] would  
28 participate in the discussion. Anita Westerhaus moved, with a second by  
29 Jacqueline Wellborn that in **case number APP 04-02**, Howard Barber, the  
30 Board not initiate review of the proposed decision and allow the proposed  
31 decision to become the final decision of the Board unless an appeal is taken by  
32 one of the parties within the time allowed by rule. Roll call vote: Aboud – yes;  
33 Carter – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen – yes;



1 Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway – yes.

2 **MOTION CARRIED UNANIMOUSLY.**

3  
4 The Board pondered recommendations for teacher testing. With pedagogy  
5 testing not considered at all, Executive Director outlined three options with  
6 respect to standardized testing: 1) content testing as a condition of licensure,  
7 in place in 48 states; 2) content testing as a condition of program completion,  
8 in place in Montana; or 3) no testing, currently only in Iowa. Jean Seeland  
9 moved, with a second by Jacqueline Wellborn, that the Board take a position of  
10 no standardized testing as a condition of licensure. Board members desired to  
11 confirm, thereby, their faith in the teacher preparation institutions and in the  
12 standards that are set. Discussion resulted in a re-phrasing of the motion to  
13 indicate Board support of a recommendation that no standardized testing for  
14 content or pedagogy be imposed as a condition of licensure. Roll call vote:  
15 Aboud – yes; Carter – yes; Chen – yes; Haigh – yes; Jeffrey – yes; Paulsen – yes;  
16 Seeland – yes; Wellborn – yes; Westerhaus – yes; and Hathaway – yes.

17 **MOTION CARRIED UNANIMOUSLY.**

18  
19 Administrative Consultant Susan Fischer introduced Joyce Becker of Luther  
20 College, Dr. Robert Keller of Loras College, Dr. Catherine Miller of the  
21 University of Northern Iowa (UNI) and Karen Sabey of Wartburg College. They  
22 presented suggestions from their team of educators for updating licensure  
23 requirements for teaching mathematics at the secondary level. The suggested  
24 rules clarified existing requirements, in particular the level of certain courses,  
25 so that every high school mathematics teacher would be mathematically  
26 prepared to teach. No accredited program in the teacher preparation  
27 institutions would have to change significantly. Executive Director Dr. Anne  
28 Kruse asked the presenters to survey the teacher preparation institutions for a  
29 reasonable effective date for the proposed rules and to report back to the  
30 Board.

31  
32 The Board recessed from 11:13 a.m. to 11:20 a.m.

1 Before each presentation of a first reading of the next three sets of rules,  
2 Licensure Consultant Jane Heinsen introduced the speakers. She also listed  
3 for the Board the special education endorsements in Chapter 15 in which rule  
4 changes had been made since about 1999.

5  
6 Sharon Hawthorne and Toni Van Cleve of the Bureau of Children, Family and  
7 Community Services proposed changes in rules for the special education  
8 consultant endorsement.

9  
10 The Board recessed for lunch at 11:32 a.m. and reconvened at 12:30 p.m.

11  
12 Jim Clark of the Bureau of Children, Family and Community Services proposed  
13 changes in rules to the school social worker endorsement, essentially an  
14 update, which would reflect modifications in licensure rules of the Board of  
15 Social Work Examiners within the Department of Public Health.

16  
17 Directors of Special Education, Dr. Mary Ellen Becker of Southern Prairie Area  
18 Education Agency (AEA) #15 and Dr. David Van Horn of Green Valley AEA #14,  
19 proposed changes in rules for the director of special education endorsement.

20  
21 At 1:03 p.m., Brian Carter moved, with a second by John Aboud, that the  
22 Board go into closed session for the purpose of a personnel discussion,  
23 pursuant to Iowa Code section 21.5(1)(i). **MOTION CARRIED UNANIMOUSLY.**  
24 Executive Director Dr. Anne Kruse absented herself from the latter portion of  
25 the closed session.

26  
27 The Board reconvened into open session at 1:23 p.m.

28  
29 Board Chair Peter Hathaway announced that Executive Director Dr. Anne  
30 Kruse had submitted a letter of resignation effective September 9, 2004. John  
31 Aboud moved, with a second by Thomas Paulsen, that the Board accept the  
32 resignation of Dr. Anne Kruse as Executive Director of the Board of  
33 Educational Examiners, effective September 9, 2004. Roll call vote:

1 Westerhaus – yes; Wellborn – yes; Seeland – yes; Paulsen – yes; Jeffrey – yes;  
2 Haigh – yes; Chen – yes; Carter – yes; Aboud – yes; and Hathaway – yes.

3 **MOTION CARRIED UNANIMOUSLY.**

4

5 There being no further business, Board Chair Peter Hathaway adjourned the  
6 meeting at 1:24 p.m.